

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

RECEIVED

SEP 16 2014

**DEPARTMENT OF
WATER RESOURCES**

This is to certify that: **CYNTHIA CRAMER JESSINGER**
PO BOX 111
SUN VALLEY ID 83353
(208)725-5255

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board"), being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank, agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right	Priority Date	Source	Tributary	Rented Rate	Annual Rented Volume	Acre Limit	Total Rented Acres
37-21259	5/1/1887	Big Wood River	Malad River	0.02 cfs	1.8 af	NA	0.5 ac
37-21261	11/12/1936	Big Wood River	Malad River	0.02 cfs	1.8 af	NA	0.5 ac
37-21263	4/15/1971	Clear Creek	Big Wood River	0.02 cfs	1.8 af	NA	0.5 ac
Total Annual Combined Limit				0.02 cfs	1.8 af	NA	0.5 ac

Annual Combined Rental Totals

0.02 cfs 1.8 af NA 0.5 ac

Term of Rental: April 15, 2014 to December 31, 2018

Rental Fee: \$3.06 2014 – 2017
\$3.60 2018

The fee for rental of the above-described water is \$30.6. Because you own the above referenced water rights you are obligated to pay ten percent (**\$3.06**) to the Department for administrative costs only. To terminate the agreement prior to the end of the rental period, written notice must be received by the Department at least 30 days prior to the rental fee due date. No rental fees will be refunded once the fee is collected and the start date for a Rental Agreement has passed.

Detailed water right conditions are attached.

SUPPORT DATA

IN FILE # 37-21259

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

Cynthia Cramer Jesinger Cynthia Cramer Jesinger 9/9/2014
Signature of Renter Printed Name and Title* Date

Signature of Renter Printed Name and Title* Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By Brian Patton Date September 17, 2014
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER SUPPLY BANK RENTAL AGREEMENT

WATER USE DETAILS

LOCATION OF POINT(S) OF DIVERSION

37-21259 BIG WOOD RIVER	SENE	Sec. 30, Twp 04N, Rge 18E, BLAINE County
37-21261 BIG WOOD RIVER	SWSW	Sec. 29, Twp 04N, Rge 18E, BLAINE County
37-21263 CLEAR CREEK	NWSE	Sec. 31, Twp 04N, Rge 18E, BLAINE County

BENEFIAL USE

IRRIGATION

SEASON OF USE

04/15 TO 10/31 FOR WATER RIGHT 37-21259 and 37-21263
04/01 TO 11/01 FOR WATER RIGHTS 37-21261

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	6			0.5														0.5

Total Acres: 0.5

CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
10. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
11. Property is also known as Lot 1, Gimlet Corner.

12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
13. Use of water under this agreement will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

CONDITIONS APPLICABLE TO RIGHTS 37-21261

14. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after September 30 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
15. The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.
16. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.



STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

This application must be prepared in accordance with the minimum requirements listed to be acceptable for processing by the Department. Incomplete applications will be returned.

Name of Renter(s) Cynthia Jesinger

Mailing Address P.O. Box 111, Sun Valley, ID 83353

Phone (208) 725-5255

Email cindyjesinger@gmail.com

A. DESCRIPTION OF WATER SOUGHT FOR RENT

1. Maximum Flow Rate (cfs)	Maximum Volume (ac-ft)	Nature of Use	Period of Use
<u>0.01 (37-21259)</u>		<u>irrigation</u>	<u>4/15</u> to <u>10/31</u>
<u>0.02 (37-21261)</u>		<u>irrigation</u>	<u>4/15</u> to <u>10/31</u>
<u>0.01 (37-21263)</u>		<u>irrigation</u>	<u>4/15</u> to <u>10/31</u>
Total: <u>0.02</u>	<u>1.8</u>		

2. Source of water Clear Creek/Big Wood River tributary to Big Wood River/Malad River

3. Point(s) of Diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County
<u>04N</u>	<u>18E</u>	<u>30</u>	<u>SENE</u>				<u>Blaine</u>
<u>04N</u>	<u>18E</u>	<u>31</u>	<u>NWSE</u>				<u>Blaine</u>

4. Lands to be irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	6									0.5								0.5

If the use is for irrigation, show total number of acres proposed through rental.

Total Acres 0.5

B. OWNERSHIP

1. Do you own the land at the proposed point of diversion?

Yes ☒ No ☒

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed point of diversion. POD authorized by Decree for water rights 37-21259, 37-21261 and 37-21263

2. Do you own the land at the proposed place of use?

Yes ☒ No ☐

If no, list owner, contact information, and attach a copy of the agreement or other written authority to use the proposed place of use.

C. MAP

Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described by this application in section A. Include legal description labels.

D. GENERAL INFORMATION

1. Please provide a description of the proposed diversion system.
Same ditch sytem authorized by Decrees for 37-21259, 37-21261 and 37-21263
2. Describe any other water rights diverted through the same point(s) of diversion or used for the same purpose(s) as described above.
These water rights were decreed, and the water rights will be diverted the same way as the decrees authorize.
3. Will the proposed place of use receive water from any other source? Yes ☒ No ☐
If yes, describe. Domestic well (37-12078)
4. If the proposed use is not for irrigation, please provide a detailed description of the proposed use and how you determined the amount of water required. Attach additional sheets if needed. n/a
5. Are there any other applications pending before the Department, such as an application for permit or transfer, for the same use(s) proposed by this rental? Yes ☐ No ☒
If yes, describe. _____
6. Was this rental application submitted in response to a Notice of Violation or a pending Notice of Violation? Yes ☐ No ☒
If yes, describe. _____

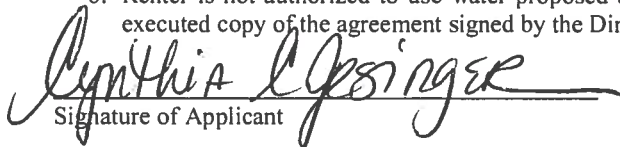
E. RENTAL TERM

- Do you wish to rent water from the Board's bank for more than one (1) year? Yes ☒ No ☐
If yes, please specify the number of years desired through proposed rental. 5 years

I hereby assert that the information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

If this application is approved, the applicant agrees to the following:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Renter shall comply with all applicable state and federal laws while using water under this agreement.
3. Renter shall hold the Board, the Director, and the state of Idaho harmless from all liability on account of negligent acts of the renter.
4. The Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
5. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.
6. Renter is not authorized to use water proposed by this application until the rental fees are paid in full and the renter receives an executed copy of the agreement signed by the Director.


Signature of Applicant

Cynthia Jesinger
Printed Name and Title*

7/11/14
Date

Signature of Applicant

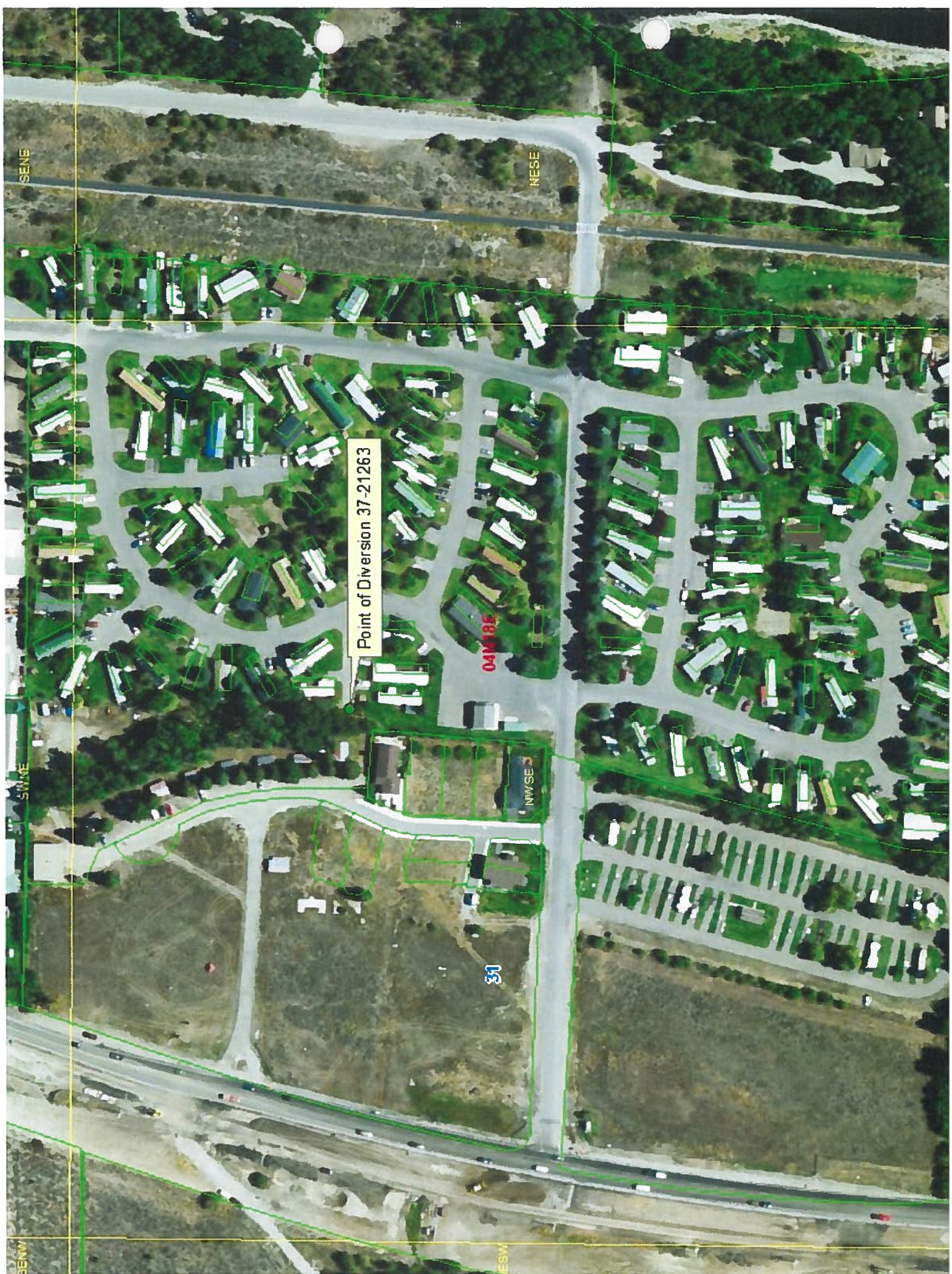
Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Mail to: Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098







State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

September 17, 2014

CYNTHIA CRAMER JESINGER
C/O FRITZ HAEMMERLE
PO BOX 1800
HAILEY ID 83333

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-21259, 37-21261, AND 37-21263**

Dear Renter:

Please find enclosed a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 1.8 acre-feet of water for irrigation of 0.5 acres during 2014 through 2018. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Upon review of this rental agreement we found that the payment for this rental through 2018 was received twice. Therefore, I have requested a refund for \$15.84 for receipt # C099410 be returned to you under separate cover from the State Controller's Office.

If you have any questions, please contact me at (208) 287-4944.

Sincerely,

Clay Webster
Water Resource Agent

Enclosure(s): Rental Agreement (copy)

c: Allen Merritt – IDWR Southern Regional Manager
Kevin Lakey – State Water District No. 37

Webster, Clay

From: Webster, Clay
Sent: Wednesday, September 17, 2014 11:57 AM
To: Marston, Sascha
Subject: Refund for Receipt # C099410

Sascha,

I need to request a refund of \$15.84 for this receipt be sent to:

CYNTHIA CRAMER JESSINGER
C/O FRITZ HAEMMERLE
PO BOX 1800
HAILEY ID 83333

They paid for this rental twice during the process.

Sincerely,

Clay Webster

Water Resource Agent
clay.webster@idwr.idaho.gov

208-287-4910

Idaho Department of Water Resources (IDWR)

322 E. Front Street

P.O. Box 83720

Boise, ID 83720-0098

208-287-4800

www.idwr.idaho.gov

HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

September 11, 2014

RECEIVED

SEP 16 2014

DEPARTMENT OF
WATER RESOURCES

Idaho Dept. of Water Resources
c/o Water Bank, Cherie Palmer
P.O. Box 83720
Boise, ID 83720-0098

Re: Application to Lease Water: 37-21259 and 37-21263 (Jesinger)

Dear Ms. Palmer:

Please find enclosed an executed Application to Lease Water for water rights 37-21259 and 37-21263, signed by my client, Cynthia Jesinger. Ms. Jesinger's name was spelled incorrectly, so I interlineated and initialed the lease. I have also enclosed a check for \$15.84 to cover the rental fee. If you have any questions or require anything further, please advise.

Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.

Fritz X. Haemmerle

FXH: fxh
Encl.
cc: client

Webster, Clay

From: Palmer, Cherie
Sent: Friday, September 05, 2014 11:00 AM
To: Webster, Clay
Subject: Jesinger

FYI

Fritz called me today and told me he would send the rental in next Friday for Jesinger. Water rights 37-21259....

*Cherie Palmer, Water Rights Supervisor
Idaho Dept of Water Resources
Water Allocation Bureau
322 E. Front Street (Front St. & Broadway Ave)
Mail: PO BOX 83720 Boise, ID 83720-0098
email: cherie.palmer@idwr.idaho.gov
phone: (208) 287-4944
fax: (208) 287-6700*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 21, 2014

CYNTHIA CRAMER JESSINGER
C/O FRITZ HAEMMERLE
PO BOX 1800
HAILEY ID 83333

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 37-21259, 37-21261 AND 37-21263**

*****TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

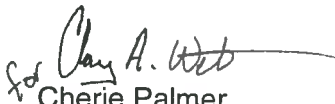
The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

Please find enclosed a receipt in the amount of **\$15.84**. This amount covers the Water Supply Bank Rental Agreement in connection with the rental of 1.8 acre-feet of water for irrigation of 0.5 acres through 2018. Pursuant to the Water Supply Bank Rules, the rental fee will be retained by the Department to offset administrative costs since you are the owner of the right(s).

Please send the signed rental agreement, within 14 days to the Idaho Department of Water Resources so I can complete the processing.

If you have any questions, please contact me at (208) 287-4944.

Sincerely,


Cherie Palmer
Water Rights Supervisor
WSB Process Point of Contact

Enclosure(s) Proposed Rental Agreement
Receipt # C099168

c: Sascha Marston – Fiscal
IDWR Front Desk

MEMORANDUM

To: Water Right(s).
From: Brian Ragan
Date: August 20, 2014
Re: Cynthia Jesinger - Review & Analysis of App. to Rent Water from the State WSB

PURPOSE/NARRATIVE: On July 14, 2014 IDWR received an application from Cynthia Jesinger to rent water from the WSB. The applicant proposes to rent her own surface water rights recently leased into the bank and use 1.8-acrefeet at a rate of 0.02-cfs for the irrigation of 0.5-acres. The rental period requested is 5-years ending on 12/31/2018.

Only the 10% administrative fee is required as the rental applicant is the owner of the leased rights.

The rental application shows the place of use in NESW. According to the water right place of use this should be in SWNE. The application includes three water rights and lists the points of diversion for 2 of them. The rental agreement includes all three and their locations.

AUTHORITY TO FILE: The applicant, Cynthia Jesinger, owns the land on which the water will be used and also owns the water rights to be rented.

WATER RIGHT VALIDITY: Water rights 37-21259, 37-21261, and 37-21263 are currently leased into the bank with the combined limits of 0.08-cfs and 1.7-acres. These rights are leased into the bank for a period of 5-years and shall expire on 12/31/2018.

The proposed place of use and the lease PODs are in the following WSB Management areas:

- Big Wood River GWMA
- ESPA Moratorium Area
- Trust Areas

INJURY TO OTHER WATER RIGHTS: No injury is apparent.

ENLARGEMENT OF USE: No enlargement is evident through the rental.

LOCAL PUBLIC INTEREST: Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES: The rental appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS: Comments were solicited from both the water master for water district 37 and the Southern regional office. None were received.

Jessinger, Cynthia

Water Right No.	Rental Amounts					Lessor Fee			Administrative Fee			Total Fee @ \$20		
	Rented Vol (AF)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$17 (2013-2017)	Rate (cfs)	Acres	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$20 (2018-2022)	Lessor Fee (90%)	Administrative Fee (10%)	Total Fee @ \$20 (2018-2022)	Lessor Fee (90%)	Administrative Fee (10%)
37-21259	1.8	27.54	3.06	30.60	0.02	0.50	0	0	0	0	0	0.00	0	0
37-21261	0	0	0	0.00	0.00	0.00	0	0	0	0	0	0.00	0	0
37-21263	0	0	0	0.00	0.00	0.00	0	0	0	0	0	0.00	0	0
xx-xxxx	0	0	0	0.00	0.00	0.00	0	0	0	0	0	0.00	0	0
xx-xxxx	0	0	0	0.00	0.00	0.00	0	0	0	0	0	0.00	0	0
xx-xxxx	0	0	0	0.00	0.00	0.00	0	0	0	0	0	0.00	0	0
xx-xxxx	0	0	0	0.00	0.00	0.00	0	0	0	0	0	0.00	0	0
xx-xxxx	0	0	0	0.00	0.00	0.00	0	0	0	0	0	0.00	0	0
Total	1.8	27.54	3.06	30.60	0.02	0.50	32.4	3.6	36.00	32.4	3.6	36.00	32.4	3.6

Phone Memo

To: Water Right No(s). 37-21259, 37-21261 and 37-21263

From: Sandra Thiel

Date: August 18, 2014

Re: Pond at rental place of use

During the water rental right review staff discovered a pond on Cynthia Jessinger's property. A GIS analysis indicates that the pond is about 0.013 acres. If the pond is 5 feet deep it would be approximately 0.065 AF. The three rights combined are limited to the irrigation of 1.7 acres and 0.08 cfs. According to the tax lot the property is 1.7 acres. All three rights are for irrigation only.

$1.7 * 0.03 \text{ cfs (less than 5 acres)} = 0.051 \text{ cfs.}$

$0.08 - 0.051 = 0.029 \text{ cfs}$

$0.029 \text{ cfs} * 1.9835 = 0.57 \text{ AF.}$

Based on this the pond would exceed the 24 hour rule to fill 0.065 AF. However, they aren't irrigating the house, driveway or the pond itself. Also it is possible that they are only irrigating at 0.02 cfs per acre.

$0.02 * 1.7 = 0.34 \text{ cfs.}$

$0.08 - 0.034 = 0.046 \text{ cfs}$

$0.046 * 1.9835 = 0.09 \text{ AF, greater than 0.065 AF which fits within the 24 hour rule to fill the pond.}$

Based on this the pond appears to fit within the existing water rights.

Thiel, Sandra

From: Kevin Lakey [watermanager@cableone.net]
Sent: Tuesday, August 05, 2014 1:26 PM
To: Thiel, Sandra
Subject: RE: Water supply bank rental

I have no concerns with this application.

Kevin Lakey
Water District 37

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Monday, August 04, 2014 5:00 PM
To: WATERMANAGER@CABLEONE.NET
Subject: Water supply bank rental

Hello, The attached memo has the background on a lease/rental application. Please let me know if you have any concerns by August 18th. Thanks

Sandra Beer Thiel
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
(208)287-4881
sandra.thiel@idwr.idaho.gov

Webster, Clay

From: Fritz Haemerle [fxh@haemlaw.com]
Sent: Tuesday, July 15, 2014 10:23 AM
To: Webster, Clay
Subject: RE: Jesinger Water Lease

Clay:

I also provided a signed Rental Agreement for the Water, with a check. Please advise if there is anything else that might be required so I can put this matter to rest.

Thanks.

Fritz X. Haemmerle
HAEMMERLE & HAEMMERLE, P.L.L.C.
P.O. Box 1800
Hailey, ID 83333
Tel: (208) 578-0520
FAX: (208) 578-0564

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From: Webster, Clay [<mailto:Clay.Webster@idwr.idaho.gov>]
Sent: Tuesday, July 15, 2014 10:14 AM
To: Fritz Haemerle
Subject: FW: Jesinger Water Lease

Mr. Haemerle,

You can disregard my e-mail the Lease contracts and rental application came in yesterday. Thank you.

Clay

From: Webster, Clay
Sent: Monday, July 14, 2014 8:01 AM
To: 'Fritz Haemerle'
Subject: RE: Jesinger Water Lease

Mr. Haemerle,

We still have not received the original leases on the Jesinger water lease.

Clay

From: Fritz Haemerle [<mailto:fxh@haemlaw.com>]
Sent: Monday, June 30, 2014 1:55 PM
To: Webster, Clay
Subject: Jesinger Water Lease

Clay:

Please find attached a PDF of a Lease Contract executed by my client. I will send the originals by mail. The letter I received was marked "Time Sensitive" with a due date of today.

If you require any other information, please advise.

Thank you.

Fritz X. Haemmerle
HAEMMERLE & HAEMMERLE, P.L.L.C.
P.O. Box 1800
Hailey, ID 83333
Tel: (208) 578-0520
FAX: (208) 578-0564

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HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

July 11, 2014

Idaho Department of Water Resources
c/o Pamela S. Skaggs, Water Rights Supervisor
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED
JUL 14 2014
DEPARTMENT OF
WATER RESOURCES

Re: *Jesinger (Original Lease Contract & Application to Lease Water)- Water Rights 37-21259, 376-21261 and 37-21263*

Dear Ms. Skaggs:

Please find enclosed: (1) executed Water Supply Bank Lease Contracts signed by my client, Cynthia Jesinger; (2) an Application to Rent Water From the Water Bank executed by Ms. Jesinger; and (3) a check for \$15.84 representing the lease of water for five (5) years (2014 through 2018), according to your previously provided spread sheet.

If there is anything else you require, please do not hesitate to call. Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
cc: client

Webster, Clay

From: Webster, Clay
Sent: Thursday, June 05, 2014 9:20 AM
To: 'fxh@haemlaw.com'
Cc: 'richardjessinger@gmail.com'
Subject: Corrected Lease Rental Splits
Attachments: Jessinger-Lease-Rental splits-corrected.xls

Mr. Haemmerle,

Pam Skaggs asked me to forward you this corrected spread sheet to assist you in preparing the Rental Application for the Jessinger's 0.5 acres. I have dropped the lease contracts in the mail to you today with a hard copy of this spread sheet. Have a nice day!

Sincerely,

Clay Webster

Technical Records Specialist
clay.webster@idwr.idaho.gov
208-287-4910

Idaho Department of Water Resources (IDWR)
322 E. Front Street
P.O. Box 83720
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Lease/Rental Proposal for Jesinger 2014-2018

Basin	Sequence	Process	Basis	Status	Priority	Date	Diversion	Rate	Acres	Limit	Total	Acres	Volume	Source	List	Water	Use	List	Current	Owner
37	21259	Water Right	Decreed	Active	5/1/1887			0.05		0.8		1.7		BIG WOOD RIVER	IRRIGATION	JESINGER, CYNTHIA CRAMER				
37	21261	Water Right	Decreed	Active	1/1/2/1936			0.08		1.7		1.7		BIG WOOD RIVER	IRRIGATION	JESINGER, CYNTHIA CRAMER				
37	21263	Water Right	Decreed	Active	4/15/1971			0.05		0.8		1.7		CLEAR CREEK	IRRIGATION	JESINGER, CYNTHIA CRAMER				
								0.08		1.7		1.7								

SRBA Court issued Partial Decreases for these rights 09-12-2012 ending forfeiture protection of the adjudication. Only the Clear Creek water is currently delivered to the irrigation place of use.

Big Wood River rights could be subject to forfeiture in the future if not delivered & used.

Proposal to lease all 3 rights to the Bank entirely to protect them from forfeiture.

Right holder intends to continue irrigation of 0.5 acre from the pond with surface water.

Proposal to rent back 0.5 acre irrigation under these combined rights to cover the irrigation use.

Proposed Split Portions of Rights for Rental

Basin	Sequence	Diversion	Rate	Acres	Limit	Total	Acres	Volume
37	21259		0.01		0.2		0.5	
37	21261		0.02		0.5		0.5	
37	21263		0.01		0.2		0.5	
			0.02		0.5		0.5	1.8

Standard Headgate Requirement for this area is 3.5 acre-foot per acre

0.5 acre x 3.5 acre-foot = 1.8 acre-foot

Current Rental Fee = \$17.00 per acre-foot

1.8 acre-foot x \$17.00 = \$30.60

As owner of the rights only the 10% administrative fee required = \$3.06 Annual Rental Fee

Scheduled Rental Rate increase in 2018 to \$20.00 per acre-foot

1.8 acre-foot x \$20.00 = \$36.00

As owner of the rights only the 10% administrative fee required = \$3.60 Annual Rental Fee

Pam Skaggs 06-04-2014